

## **REMARKS/ARGUMENTS**

In the Office Action issued December 9, 2005, claims 1-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent Application Publication No. 2002/0035697 to McCurdy et al. (McCurdy) in view of US Patent No. 6,297,824 to Hearst et al. (Hearst) and further in view of U.S. Patent No. 5,978,819 to Berstis (Berstis). Claim 18 was objected to as being of improper dependent form.

Claims 1-4, 6-10, 15, and new claims 23-30 are now pending in this application. Claims 1 and 15 have been amended to clarify the subject matter that the applicant considers to be the invention. Claims 5, 11-14, 16-22 have been canceled. The objection to claim 18 is moot, as that claim has been canceled.

The applicant respectfully submits that the present invention, according to claims 1-22 (now claims 1-4, 6-10, and 15) is not obvious over McCurdy in view of Hearst and further in view of Berstis. McCurdy discloses systems and methods for distributing and viewing electronic documents. In particular, McCurdy discloses a method for creating a digital magazine file using a PDF file that represents the printed version of the magazine at the desired resolution for display purposes. This file is used to create the proprietary data format (e.g., ZDF) files by adding links and other metadata consistent with the final proprietary (e.g., ZNO) data format. This format conversion is done in order to require a user to use a proprietary reader to read the magazine as a replica in portrait mode.

By contrast, the present invention, for example, according to claim 1, requires electronically laying out a plurality of pages to form a digital magazine, such that each page fully fits a selected one of either a landscape format or a portrait format display screen, so that each

page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling. McCurdy does not disclose this. Rather, McCurdy discloses generating a file with a proprietary data format from a file that represents the printed version of the magazine and which retains the layout of the printed version of the magazine. McCurdy does not disclose or suggest electronically laying out a plurality of pages to form a digital magazine, such that each page fully fits a selected one of either a landscape format or a portrait format display screen, so that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling.

This point is further shown by Fig. 16 of McCurdy, which is a screen shot depicting a two page reading layout of the electronic magazine. Clearly, these pages have not been laid out such that each page fully fits a display screen, so that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling. In particular, McCurdy discloses the page being displayed with borders and with toolbars of the display program visible. McCurdy also discloses viewing the displayed page(s) using zoom (see, for example, para. [0204] on page 15) and dragging/panning, which is a type of scrolling (see, for example, para. [0200] on page 15).

Likewise, Fig. 17 of McCurdy is a screen shot depicting a single page browsing layout of the electronic magazine. Clearly, this page has not been laid out such that each

page fully fits a display screen, so that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling.

In addition, McCurdy does not disclose or suggest electronically laying out a plurality of pages to form a digital magazine, such that each page fully fits a selected one of either a landscape format or a portrait format display screen and then locking the digital magazine to prevent it from being altered. Rather, McCurdy discloses the display program having zoom and drag/pan features to alter the display of the page(s) to accommodate the screen.

Hearst discloses an interactive interface for visualizing results from a search of a corpus of machine-readable documents. As shown in Figs 3, 4, 7, 8, 9, the page displays that are disclosed by Hearst have not been laid out such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. Thus, Hearst does not disclose or suggest electronically laying out a plurality of pages such that each page fully fits a display screen, so that each page is displayable in a full-screen manner. In addition, Hearst the display having borders and the toolbars of the display program visible and having scroll bars (see, for example, Fig 3). Thus, Hearst does not disclose or suggest that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling.

Berstis discloses examining preformatted text within received HTML documents to determine if reflowing the text during formatting for display within a narrow viewing

area is appropriate. This determination is based on various special formatting indicia which indicate that the text is a table or other informational device in which lines of text should not be reflowed. If no special formatting indicia are detected, the preformatted text tags are removed, allowing the preformatted text to be reflowed when formatted for display. Otherwise, the preformatted text is left alone or revised according to a user preference. Preformatted text, when appropriately reflowed, is thus rendered more readable and the necessity for scrolling right and left is eliminated.

By contrast, the present invention, for example, according to claim 1, requires electronically laying out a plurality of pages to form a digital magazine, such that each page fully fits a selected one of either a landscape format or a portrait format display screen, so that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling, and locking the digital magazine to prevent it from being altered. Berstis does not disclose or suggest electronically laying out a plurality of pages to form a digital magazine and then locking the digital magazine to prevent it from being altered. Berstis discloses altering an HTML document that already includes formatting indicia, rather than displaying the document in an unaltered state.

Berstis discloses altering the document so that it fits whatever display area the display program happens to have available. This is contrary to the present invention, which requires that that each page be laid out so that it fully fits a selected one of either a landscape format or a portrait format display screen. Thus, Berstis teaches the opposite

of what the present invention requires that the display format to be used when the magazine is laid out be selected before the magazine is locked.

In addition, although Berstis eliminates the need for left/right scrolling, Berstis does disclose page scrolling (see column 4, lines 45-47). As disclosed by Berstis, the "PgUp" and "PgDn", buttons allow the user to change the content of the display in display sized blocks. This is, in fact, page scrolling, although Berstis says it is not scrolling. Thus, Berstis does not disclose or suggest the requirement of the present invention that the page can be read without zooming, scrolling, or page scrolling.

Even if McCurdy, Hearst, and Berstis are combined as suggested by the Examiner, the resulting combination still fails to disclose the requirements of the present invention of electronically laying out a plurality of pages to form a digital magazine, such that each page fully fits a selected one of either a landscape format or a portrait format display screen, so that each page is displayable in a full-screen manner without borders and with any toolbars of a display program hidden, and wherein the page can be read without zooming, scrolling, or page scrolling, and locking the digital magazine to prevent it from being altered.

Thus, the present invention, according to claim 1, and according to claim 15, which is similar to claim 1, and according to claims 1-4, 6-10 and 15, which depend therefrom, is not unpatentable over McCurdy in view of Hearst, and further in view of Berstis.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

### **INTERVIEW RECORD**

On March 8, 2006, a telephonic interview was conducted with the Examiner, Joshua Campbell. Also participating were inventors Dan Schwartz and Pat Kenny, and attorney Michael Schwartz. Independent claim 1 was discussed, as was the Berstis reference. Applicants argued that the teachings of Berstis did not fill the deficiencies of the other references. No agreement was reached.

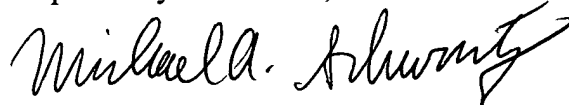
**Additional Fees:**

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (25746.0018).

**Conclusion**

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", with a stylized flourish at the end.

Michael A. Schwartz  
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